IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Richard John Champion v Center for Forensic Psychiatry**
Docket No. **259667**
L.C. Nos. **04-001263-AZ & 04-036411-FY**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The motions to waive fees are GRANTED for this case only.

The complaint for a writ of habeas corpus is DISMISSED as moot in view of the fact that plaintiff's release from defendant Center for Forensic Psychiatry care has rendered it impossible for this Court to grant relief. *B P 7 v Bureau of State Lottery*, 231 Mich App 356, 359; 586 NW2d 117 (1998).

The request for a writ of superintending control and the request for a writ of mandamus are DISMISSED as Mr. Dean Hazel, who is a non-attorney, no longer has the statutory authority granted him by MCL 600.4307 to represent plaintiff before this Court and would be engaging in the unauthorized practice of the law if he proceeded. See MCL 600.916. See also *Dressel v Ameribank*, 468 Mich 557, 566; 664 NW2d 151 (2003) (a person engages in the practice of law when he counsels or assists another in matters that require the use of legal discretion and profound legal knowledge).

Even if the request for a writ of superintending control could go forward with Mr. Hazel representing plaintiff, the request must still be DISMISSED. First, this Court lacks jurisdiction over the request seeing as plaintiff could have appealed the November 10, 2004 order of commitment, the August 19, 2004 order appointing counsel to appear on his behalf, and the September 28, 2004 appointing substitute counsel to the Monroe Circuit Court. MCR 3.302(D)(2) and 7.101(A). Alternatively, the request is not properly before this Court in view of the fact that plaintiff failed to move the Monroe Circuit Court, which has superintending control over the 1st District Court, for this type of relief before filing his complaint in this Court. MCR 3.301(A).

A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 2 9 2005
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Date

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Chief Clerk